

To: Precision Innovations Inc(tspyrou@precisioninno.com)
Subject: U.S. Trademark Application Serial No. 97821369 - OPENROAD
Sent: December 06, 2023 08:34:28 PM EST
Sent As: tmng.notices@uspto.gov

Attachments

[2226681 - OPENROAD](#)

[screenshot-www-entrepreneur-com-science-technology-saas-vs-custom-software-which-is-best-for-your-450854-17019114808781](#)

[screenshot-triare-net-insights-custom-development-over-saas-17019115451351](#)

United States Patent and Trademark Office (USPTO) Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97821369

Mark: OPENROAD

Correspondence Address:

PRECISION INNOVATIONS INC
7770 REGENTS ROAD
SUITE 113-580
SAN DIEGO CA 92122
UNITED STATES

Applicant: Precision Innovations Inc

Reference/Docket No. N/A

Correspondence Email Address: tspyrou@precisioninno.com

NONFINAL OFFICE ACTION

Response deadline. File a response to this nonfinal Office action within three months of the “Issue date” below to avoid [abandonment](#) of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the “How to respond” section below.

Request an extension. For a fee, applicant may [request one three-month extension](#) of the response deadline prior to filing a response. The request must be filed within three months of the “Issue date” below. If the extension request is granted, the USPTO must receive applicant's response to this letter within six months of the “Issue date” to avoid abandonment of the application.

Issue date: December 6, 2023

Introduction

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

Summary of Issues

- Section 2(d) - Likelihood of Confusion Refusal
- Substitute Specimen Required
- Domicile Address Required

Section 2(d) - Likelihood of Confusion Refusal

Registration of the applied-for mark is refused because of a likelihood of confusion with the mark in U.S. Registration No. 2226681 (OPENROAD). Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registration.

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods and/or services of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the “*du Pont* factors”). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Any evidence of record related to those factors need be considered; however, “not all of the *DuPont* factors are relevant or of similar weight in every case.” *In re Guild Mortg. Co.*, 912 F.3d 1376, 1379, 129 USPQ2d 1160, 1162 (Fed. Cir. 2019) (quoting *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997)).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared goods and/or services. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) (“The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods [or services] and differences in the marks.”); TMEP §1207.01.

Applicant has applied to register the mark OPENROAD in standard characters for “International Class 042: Software authoring; Software design and development; Software development in the framework of software publishing; Software engineering services; Computer software design; Computer software development; Customizing computer software; Developing computer software” in International Class 042.

Registrant's mark is OPENROAD in standard characters for “computer software for database and application development” in International Class 009.

Similarity of the Marks

In a likelihood of confusion determination, the marks in their entireties are compared for similarities in

appearance, sound, connotation, and commercial impression. *In re i.am.symbolic, llc*, 866 F.3d 1315, 1323, 123 USPQ2d 1744, 1748 (Fed. Cir. 2017); *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondée En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973); TMEP §1207.01(b)-(b)(v).

In the present case, applicant's mark is OPENROAD and registrant's mark is OPENROAD. These marks are identical in appearance, sound, and meaning, "and have the potential to be used . . . in exactly the same manner." *In re i.am.symbolic, llc*, 116 USPQ2d 1406, 1411 (TTAB 2015), *aff'd*, 866 F.3d 1315, 123 USPQ2d 1744 (Fed. Cir. 2017). Additionally, because they are identical, these marks are likely to engender the same connotation and overall commercial impression when considered in connection with applicant's and registrant's respective goods and/or services. *Id.*

Therefore, the marks are confusingly similar.

Relatedness of the Goods and/or Service

The goods and/or services are compared to determine whether they are similar, commercially related, or travel in the same trade channels. *See Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369-71, 101 USPQ2d 1713, 1722-23 (Fed. Cir. 2012); *Herbko Int'l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1165, 64 USPQ2d 1375, 1381 (Fed. Cir. 2002); TMEP §§1207.01, 1207.01(a)(vi).

The compared goods and/or services need not be identical or even competitive to find a likelihood of confusion. *See On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be "related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source." *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i); *see Made in Nature, LLC v. Pharmavite LLC*, 2022 USPQ2d 557, at *44 (TTAB 2022) (quoting *In re Jump Designs LLC*, 80 USPQ2d 1370, 1374 (TTAB 2006)).

Here, applicant's goods, "Software design and development" and similar services, are closely related to registrant's goods and/or services, "computer software for database and application development."

When the cited registrant's software is identified broadly without restriction or limitation as to the purpose or function, the software is presumed to encompass both downloadable and/or recorded software and software-based services, such as SaaS. *See In re Solid State Design Inc.*, 125 USPQ2d 1409, 1412-15 (TTAB 2018); *In re Linkvest S.A.*, 24 USPQ2d 1716, 1716 (TTAB 1992); TMEP §1207.01(a)(iii).

The attached Internet evidence, consisting of screen captures from *Entrepreneur* and *Triare*, establishes that the relevant goods and/or services are sold or provided through the same trade channels and used by the same classes of consumers in the same fields of use. Specifically, applicant's goods and/or services are in direct competition with applicant's identified services.

Lastly, where the marks of the respective parties are identical or virtually identical, as in this case, the

degree of similarity or relatedness between the goods and/or services needed to support a finding of likelihood of confusion declines. *See In re Country Oven, Inc.*, 2019 USPQ2d 443903, at *5 (TTAB 2019) (citing *In re i.am.symbolic, llc*, 116 USPQ2d 1406, 1411 (TTAB 2015), *aff'd*, 866 F.3d 1315, 123 USPQ2d 1744 (Fed. Cir. 2017)); TMEP §1207.01(a); *see also In re Shell Oil Co.*, 992 F.2d 1204, 1207, 26 USPQ2d 1687, 1689 (Fed. Cir. 1993).

Thus, applicant's and registrant's goods and/or services are considered related for likelihood of confusion purposes. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Conclusion

Because the marks are identical and the goods and/or services are related, there is a likelihood of confusion as to the source of applicant's goods and/or services, and registration is refused pursuant to Section 2(d) of the Trademark Act.

Although applicant's mark has been refused registration, applicant may respond to the refusal by submitting evidence and arguments in support of registration.

However, if applicant responds to the refusal, applicant must also respond to the requirements set forth below.

Substitute Specimen Required

Specimen does not show direct association between mark and services. Registration is refused because the specimen does not show a direct association between the mark and the services and fails to show the applied-for mark as actually used in commerce with the identified services in International Class 042. Trademark Act Sections 1 and 45, 15 U.S.C. §§1051, 1127; 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a), (b)(2); TMEP §§904, 904.07(a), 1301.04(f)(ii), (g)(i). An application based on Trademark Act Section 1(a) must include a specimen showing the applied-for mark as actually used in commerce for each international class of services identified in the application or amendment to allege use. 15 U.S.C. §1051(a)(1); 37 C.F.R. §§2.34(a)(1)(iv), 2.56(a); TMEP §§904, 904.07(a).

When determining whether a mark is used in connection with the services in the application, a key consideration is the perception of the user. *In re JobDiva, Inc.*, 843 F.3d 936, 942, 121 USPQ2d 1122, 1126 (Fed. Cir. 2016) (citing *Lens.com, Inc. v. 1-800 Contacts, Inc.*, 686 F.3d 1376, 1381-82, 103 USPQ2d 1672, 1676 (Fed Cir. 2012)). A specimen must show the mark used in a way that would create in the minds of potential consumers a sufficient nexus or direct association between the mark and the services being offered. *See* 37 C.F.R. §2.56(b)(2); *In re Universal Oil Prods. Co.*, 476 F.2d 653, 655, 177 USPQ2d 456, 457 (C.C.P.A. 1973); TMEP §1301.04(f)(ii).

To show a direct association, specimens consisting of advertising or promotional materials must (1) explicitly reference the services and (2) show the mark used to identify the services and their source. *In re The Cardio Grp., LLC*, 2019 USPQ2d 227232, at *2 (TTAB 2019) (quoting *In re WAY Media, LLC*, 118 USPQ2d 1697, 1698 (TTAB 2016)); TMEP §1301.04(f)(ii). Although the exact nature of the services does not need to be specified in the specimen, there must be something that creates in the mind of the purchaser an association between the mark and the services. *In re Adair*, 45 USPQ2d 1211, 1215 (TTAB 1997) (quoting *In re Johnson Controls Inc.*, 33 USPQ2d 1318, 1320 (TTAB 1994)).

In the present case, the specimen does not show a direct association between the mark and services in that the services offered in the specimen are for development of hardware, not software.

Examples of specimens. Specimens for services must show a direct association between the mark and the services and include: (1) copies of advertising and marketing material, (2) a photograph of business signage or billboards, or (3) materials showing the mark in the sale, rendering, or advertising of the services. *See* 37 C.F.R. §2.56(b)(2), (c); TMEP §1301.04(a), (h)(iv)(C). Any webpage printout or screenshot submitted as a specimen must include the webpage’s URL and the date it was accessed or printed on the specimen itself, within the TEAS form that submits the specimen, or in a verified statement under 37 C.F.R. §2.20 or 28 U.S.C. §1746 in a later-filed response. *See* 37 C.F.R. §2.56(c); TMEP §§904.03(i), 1301.04(a).

Response options. Applicant may respond to this refusal by satisfying one of the following for each applicable international class:

(1) **Submit a different specimen** (a verified “[substitute](#)” specimen) that (a) was in actual use in commerce at least as early as the filing date of the application or prior to the filing of an amendment to allege use and (b) shows the mark in actual use in commerce for the services identified in the application or amendment to allege use. A “verified substitute specimen” is a specimen that is accompanied by the following statement made in a signed affidavit or supported by a declaration under 37 C.F.R. §2.20: “The substitute (or new, or originally submitted, if appropriate) specimen(s) was/were in use in commerce at least as early as the filing date of the application or prior to the filing of the amendment to allege use.” The substitute specimen cannot be accepted without this statement.

(2) **Amend the filing basis** to [intent to use under Section 1\(b\)](#) (which includes withdrawing an amendment to allege use, if one was filed), as no specimen is required before publication. This option will later necessitate additional fee(s) and filing requirements, including a specimen.

Applicant should not that they may amend the identification to clarify or limit the services, **but not to broaden or expand the services** beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Thus, applicant **may not amend the identification to include hardware development**.

For an overview of the response options referenced above and instructions on how to satisfy these options using the online Trademark Electronic Application System (TEAS) form, see the [Specimen webpage](#).

Domicile Address Required

Domicile address cannot be accepted. Applicant must provide its current domicile street address because the domicile address of record is for a U.S. third-party commercial mail receiving agency (a private business that accepts mail from the U.S. Postal Service on behalf of third parties), as identified by the U.S. Postal Service Coding Accuracy Support System (CASS), which is not an acceptable type of domicile address for a corporation. TMEP §601.01(c)(i). That is, this address does not identify applicant’s principal place of business. *See* 37 C.F.R. §§2.2(o)-(p), 2.11(b), 2.189; TMEP §601.01(c)(i). All applications must include an applicant’s domicile address. *See* 37 C.F.R. §§2.32(a)(2), 2.189; TMEP §803.05(a).

Applicant must provide an acceptable domicile street address; that is, the location of applicant's headquarters where its senior executives or officers ordinarily direct and control applicant's activities. *See* 37 C.F.R. §§2.2(o)-(p), 2.32(a)(2), 2.189; TMEP §803.05(a).

If applicant cannot provide a domicile street address due to an extraordinary situation, applicant may file a [petition to the Director](#) to request the Director waive this requirement. *See* 37 C.F.R. §§2.146(a)(5), 2.148; TMEP §1708.01. The petition must include the required fee as well as (a) a verified statement of facts explaining the extraordinary situation, and (b) the state, or foreign equivalent, and country of applicant's domicile, to determine whether applicant must be represented by a U.S.-licensed attorney. *See* 37 C.F.R. §§2.11(a)-(b), 2.146(c)(1); TMEP §1708.01. However, filing a petition is not considered a response to an Office action. *See* 37 C.F.R. §2.146(g); TMEP §1705.06. Applicant must still file a timely response to this Office action to avoid abandonment of the application. The response should indicate that a petition has been filed, specify the reason(s) for filing the petition (i.e., to request a waiver of the domicile address requirement), and request suspension of the application pending disposition of the petition. *See* TMEP §§716.02, 716.02(l), 1705.06.

Instructions for responding

To provide applicant's domicile street address. After opening the correct Trademark Electronic Application System (TEAS) response form and entering the serial number, (1) answer "yes" to question 5 and click "Continue;" (2) on the "Owner Information" page, in the "Domicile Address" fields, uncheck the box stating the domicile and mailing address are not the same; and (3) below the checkbox provide applicant's domicile street address. The address provided in the "Domicile Address" fields will be hidden from public view. However, any street address listed in the "Mailing Address" fields will be publicly viewable.

If applicant has no fixed physical address, applicant may provide the full name, title, and domicile street address of an individual with legal authority to bind applicant (e.g., an officer, if a corporation, or a partner, if a partnership). TMEP §601.01(c)(iv)(A); *see* 37 C.F.R. §§2.2(o)-(p), 2.11(b), 2.189. This domicile street address is the location where the person with such authority resides and intends to be the person's principal home. *See* 37 C.F.R. §§2.2(o)-(p), 2.32(a)(2), 2.189; TMEP §803.05(a).

If the domicile address of this individual is outside the United States, applicant must **appoint a U.S.-licensed attorney** qualified under 37 C.F.R. §11.14 to represent applicant before the USPTO in this application, if an attorney has not already been appointed. *See* 37 C.F.R. §2.11(a)-(b); TMEP §601.01(a).

To provide the full name, title, and domicile street address of an individual with legal authority to bind applicant, after opening the correct TEAS response form and entering the serial number, (1) on the next page answer "yes" to question 5 and click "Continue;" (2) on the "Owner Information" page, check the box to indicate the owner's domicile address and mailing address are not the same; and (3) enter this individual's domicile street address in the "Domicile Address" fields, check the box below the "Zip/Postal Code" field that states "Check this box ONLY if the owner is a juristic entity (e.g., a partnership, corporation, or LLC) that has no fixed physical address." and enter into the "Name and Title" field the full name and title of this individual. The domicile street address entered for this individual will be hidden from public view.

Response Guidelines

For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please see the [Responding to Office Actions](#) webpage for more information and tips on responding.

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

Advisory-Hiring a Trademark Attorney

Because of the legal technicalities and strict deadlines of the trademark application process, applicant is encouraged to hire a private attorney who specializes in trademark matters to assist in this process. The assigned trademark examining attorney can provide only limited assistance explaining the content of an Office action and the application process. USPTO staff cannot provide legal advice or statements about an applicant's legal rights. TMEP §§705.02, 709.06. *See* [Hiring a U.S.-licensed trademark attorney](#) for more information.

How to respond. File a [response form to this nonfinal Office action](#) or file a [request form for an extension of time to file a response](#).

/Daniel Wood/
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RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to [abandon](#).** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) [system availability](#) could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email TEAS@uspto.gov.
- [Responses signed by an unauthorized party](#) are not accepted and can **cause the application to**

abandon. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.

- If needed, **find** [contact information for the supervisor](#) of the office or unit listed in the signature block.

2226681

OPENROAD

Word Mark	OPENROAD •
Goods/Services	IC 009 US 026 038 021 036 023 computer software for database and application development.
Register	PRINCIPAL
Serial Number	75269962
Filing Date	1997-04-04T00:00:00
Original Filing Basis	1b
Current Filing Basis	1a
Publication Date	1998-02-24
Registration Number	2226681
Date Registered	1999-02-23
Owner	<ul style="list-style-type: none">• (REGISTRANT) Computer Associates International, Inc. (CORPORATION; DELAWARE, USA); One Computer Associates Plaza, Islandia, NEW YORK 11749, UNITED STATES• (LAST LISTED OWNER) ACTIAN CORPORATION (CORPORATION; DELAWARE, USA); 2300 Geng Road, Suite 150, Palo Alto, CALIFORNIA 94303, UNITED STATES
Type of Mark	TRADEMARK
Mark Drawing Code	(1) TYPED DRAWING
Live Dead Indicator	LIVE
Status	REGISTERED AND RENEWED
Attorney of Record	Hope V. Shovein

Print: December 6, 2023 8:16 PM



Which Software Solution Is Best for Your Business? Here's How to Decide.

SaaS vs. custom software development: Which is the safest bet for you?

BY BOGDAN NICOARA • MAY 16, 2023

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The global SaaS market is [estimated](#) to reach \$702.19 billion by 2030. It is undoubtedly a growing market that proves its benefits. Nonetheless, there are companies — and actually, entire industries — that are still reluctant when it comes to adopting a [SaaS solution](#). Bespoke (or custom) developments have been believed to be the safest bet, but is it the case anymore?

As a proptech company offering a SaaS product that digitalizes the real estate industry, we've seen both enthusiasm and skepticism regarding this business model, so I decided to get into more detail about the advantages and disadvantages of both SaaS and bespoke technologies.

Related: [4 Ways SaaS Can Make Entrepreneurs More Efficient and Competitive](#)



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Custom software apps development or SaaS?



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Anton Malyy
CTO at TRIARE

6 min read | Jul 27, 2022

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...making the enterprise [project](#) easier to implement, to create quality software faster

But using off-the-shelf solutions might be the best choice for the companies, which are just starting their web journey due to its cost efficiency. In this article we will define pros and cons of SaaS products compared to custom software development. What companies can benefit from SaaS and in what cases it can be damaging.

Digital innovation is a critical component of modern business development. Business leaders usually face a choice between using off-the-shelf solutions (SaaS) and designing custom ones. The former offer a high degree of reliability at a lower price tag. However, SaaS products may lack critical features that are necessary for meeting the company's requirements.

Custom development is more flexible but also more demanding in terms of resources. This is why companies, especially mid-sized ones, need to consider the potential benefits and drawbacks of both options.

Need an expert opinion on Custom SaaS?

Let's talk

Custom development vs. SaaS

Custom development and SaaS are the two alternatives for implementing new software solutions. It is common for small businesses to rely on SaaS as a lower-budget alternative. But as a business grows, so do its demands for software. For example, companies might need to manage more resources, and SaaS is unable to meet the increasing needs.

Custom development allows the implementation of solutions that match the very particular company's needs. The decision to go with it can stem from the rising number of employees, new locations, or new markets. With SaaS, companies have to deal with the one-size-fits-all approach, facing limitations in different access levels, feature customization, etc.

When choosing custom software development, it's important to find the right provider who will understand the company's structure and goals.

What is custom software?

Custom software is a broad term describing solutions developed for a specific company or user. Hotels and restaurants might need [custom booking apps](#), online stores might need custom shopping apps, and

[Why are companies looking for SaaS solutions](#)

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so on. While [SaaS products](#) can cover the basics, custom software app development will allow companies to tweak the design, add more third-party integrations, different types of logins, promotions, and other features.

Companies set different goals when choosing custom software: improved productivity, enhanced service quality, unique features. It requires massive investments, but most business leaders expect that it will generate future returns.

What is SaaS?

SaaS, or Software-as-a-Service, includes cloud-based solutions that are accessed over the internet, without installation and maintenance. Vendors maintain servers, databases, and the code of the application, which isn't the case with custom development where you need to care about all these aspects separately.

Having everything maintained and all the bugs fixed for them, firms can focus on their core operations. Besides affordable pricing, SaaS products usually come on a subscription basis, which means that there are no large initial investments.

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How we can help make your idea a reality?

Let's talk

Pros and cons of SaaS products

The nature of SaaS reveals its strengths and weaknesses. A cheaper solution also means weaker control over it. Take a look at the table below to learn about the pros and cons of SaaS products:

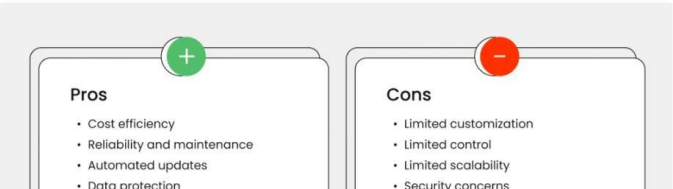


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Custom development allows for addressing the shortcomings of SaaS. However, it carries added risks and complexity of implementation.

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Factors to consider when choosing between SaaS and custom software

The difference between licensed and custom software

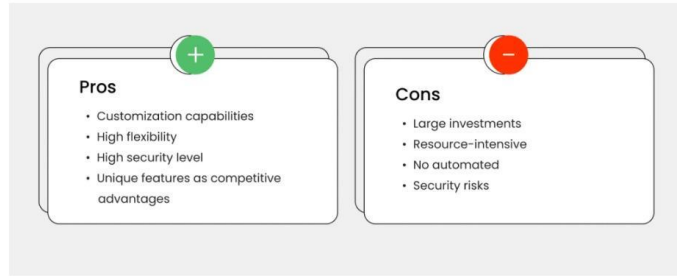
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Having a customized app addresses specific company needs. It allows businesses to create unique

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features based on their requirements and add all the integrations they need. Plus, such solutions can be more secure. For instance, a company may have an offline copy of data, protected from external attacks.

Large investment is the largest drawback of custom development. It's not only the initial costs but also further spending on bug fixes, maintenance, scaling, adding new features, etc. On top of that, companies may be exposed to security risks if there are some gaps or errors in the development process. To avoid this, businesses should find a reliable development partner with proven expertise.

Factors to consider when choosing between SaaS and custom software

The choice between custom development providers and SaaS software companies depends on particular business needs. Take a look at the following factors:

Factor	Custom software	SaaS
Purchase cost	• High	• Low
Maintenance	• Company / Developer	• Automated
Hosting	• Self-hosting	• Cloud
Customization	• High	• Low
Development complexity	• High	• None
Ownership	• Company	• Vendor
Quality	• Depends on a developer	• Depends on a vendor

High costs usually make custom software more suitable for larger businesses. However, many companies develop software at a reasonable price. Plus, they take care of post-release maintenance and support.

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The difference between licensed and custom software

Intellectual Property (IP) is the main difference between licensing and building—it's another important factor companies should consider. SaaS is a licensed software, which means that it provides software to companies in exchange for a subscription fee. In turn, a custom-build solution allows to hold ownership of everything.

Who needs custom development?

When a business has specific needs, it's best to choose custom software app development. It also makes sense in the following cases:

- A company is planning to use this software for various projects and demands functionality variation from one project to another
- A business is scaling
- A company has its own development team with sufficient expertise to implement a required solution
- A business has already used a SaaS [product](#) that doesn't match the needs

Why are companies looking for SaaS solutions?

Lack of initial investments and automation of maintenance and updates are very attractive to many businesses, especially those at the beginning stage of their development.

Sometimes, it's worth starting with SaaS and transitioning to a custom product when there's a need for higher scalability and personalized functionality.

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in different business niches

SaaS is superior in the niches involving common functions and processes. For example, an ecommerce business may use SaaS for customer relationship management (CRM) with basic functionality such as customer analytics and sales metrics.

Custom software is a better alternative for specific processes and [tasks](#). It can be especially beneficial in fields that deal with sensitive information, such as finance or healthcare. Above that, any business that requires something unique may go for custom app development.

Conclusion

Custom development and SaaS are both valid options for choosing a software product. Each alternative has its pros and cons. Custom software allows for greater flexibility and ownership, while SaaS guarantees cost efficiency and does all the maintenance.

The decision to build or buy licensed software depends on particular requirements. It's a good idea to contact a professional development team before making such a decision. You can reach out to TRIARE to discuss the features you need and possible limitations.

Still have questions on the difference between SaaS and Custom dev?

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